

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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April 18, 2001 LB 362, 468, 659, 668

SENATOR CUDABACK: LB 468 does advance. Mr. Clerk, items for the record.

CLERK: Thank you, Mr. President. Enrollment and Review reports LB 362 and LB 668 as correctly engrossed. That's all that I have at this time. (Legislative Journal pages 1520-1521.)

SENATOR CUDABACK: Thank you, Mr. Clerk. We now turn to General File, 2001 senator priority bills. Mr. Clerk, first item.

CLERK: Mr. President, LB 659, a bill by Senator Chambers. (Read title.) Bill was introduced on January 16 of this year, referred to the Judiciary Committee, advanced to General File. I do have committee amendments pending. (AM1342, Legislative Journal page 1399.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open on LB 659.

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, I've discussed this bill with many of you in general terms and I doubt that anybody has to be persuaded that DNA testing is a valuable tool now. Just a couple of days ago a federal judge raised it to the level of a constitutional right. This judge ruled that denying an inmate the right to DNA testing violated federal due process. In the field of criminology, DNA testing, deoxyribonucleic acid testing, is the instrumentality which has literally rescued some people from the executioner minutes before life was to be taken. Not only would it stave off the execution but people would be released because they were actually innocent. DNA testing demonstrated that the person who was illegally arrested, unfairly convicted, improperly sentenced to death had committed no crime whatsoever. The thing that troubles me so much about what that has revealed is the fact that innocent people, obviously, have been executed in this country and they have been executed in numbers that are appalling. In Illinois alone, a greater number of people have been released from death row as being innocent than were kept there, so you can imagine how many people had been executed. As we proceed on this bill through a discussion of the committee